

Notice of Allowability	Application No.	Applicant(s)	
	10/735,772	GUTOWSKI, STANLEY J.	
	Examiner	Art Unit	
	ALEXANDER BOAKYE	2667	

-- The MAILING DATE of this communication appears on the cover sheet with the correspondence address--

All claims being allowable, PROSECUTION ON THE MERITS IS (OR REMAINS) CLOSED in this application. If not included herewith (or previously mailed), a Notice of Allowance (PTOL-85) or other appropriate communication will be mailed in due course. **THIS NOTICE OF ALLOWABILITY IS NOT A GRANT OF PATENT RIGHTS.** This application is subject to withdrawal from issue at the initiative of the Office or upon petition by the applicant. See 37 CFR 1.313 and MPEP 1308.

1. ☒ This communication is responsive to 7/29/05.
2. ☒ The allowed claim(s) is/are 6-23; renumbered as 1-18.
3. ☒ The drawings filed on 16 December 2003 are accepted by the Examiner.
4. ☐ Acknowledgment is made of a claim for foreign priority under 35 U.S.C. § 119(a)-(d) or (f).
 - a) ☐ All b) ☐ Some* c) ☐ None of the:
 1. ☐ Certified copies of the priority documents have been received.
 2. ☐ Certified copies of the priority documents have been received in Application No. _____.
 3. ☐ Copies of the certified copies of the priority documents have been received in this national stage application from the International Bureau (PCT Rule 17.2(a)).

* Certified copies not received: _____.

Applicant has THREE MONTHS FROM THE "MAILING DATE" of this communication to file a reply complying with the requirements noted below. Failure to timely comply will result in ABANDONMENT of this application.
THIS THREE-MONTH PERIOD IS NOT EXTENDABLE.

5. ☐ A SUBSTITUTE OATH OR DECLARATION must be submitted. Note the attached EXAMINER'S AMENDMENT or NOTICE OF INFORMAL PATENT APPLICATION (PTO-152) which gives reason(s) why the oath or declaration is deficient.
 6. ☐ CORRECTED DRAWINGS (as "replacement sheets") must be submitted.
 - (a) ☐ including changes required by the Notice of Draftsperson's Patent Drawing Review (PTO-948) attached
 - 1) ☐ hereto or 2) ☐ to Paper No./Mail Date _____.
 - (b) ☐ including changes required by the attached Examiner's Amendment / Comment or in the Office action of Paper No./Mail Date _____.
- Identifying indicia such as the application number (see 37 CFR 1.84(c)) should be written on the drawings in the front (not the back) of each sheet. Replacement sheet(s) should be labeled as such in the header according to 37 CFR 1.121(d).
7. ☐ DEPOSIT OF and/or INFORMATION about the deposit of BIOLOGICAL MATERIAL must be submitted. Note the attached Examiner's comment regarding REQUIREMENT FOR THE DEPOSIT OF BIOLOGICAL MATERIAL.

Attachment(s)

- | | |
|---|--|
| 1. <input type="checkbox"/> Notice of References Cited (PTO-892) | 5. <input type="checkbox"/> Notice of Informal Patent Application (PTO-152) |
| 2. <input type="checkbox"/> Notice of Draftsperson's Patent Drawing Review (PTO-948) | 6. <input type="checkbox"/> Interview Summary (PTO-413),
Paper No./Mail Date _____. |
| 3. <input type="checkbox"/> Information Disclosure Statements (PTO-1449 or PTO/SB/08),
Paper No./Mail Date _____ | 7. <input type="checkbox"/> Examiner's Amendment/Comment |
| 4. <input type="checkbox"/> Examiner's Comment Regarding Requirement for Deposit
of Biological Material | 8. <input checked="" type="checkbox"/> Examiner's Statement of Reasons for Allowance |
| | 9. <input type="checkbox"/> Other _____. |

REASONS FOR ALLOWANCE

1. The following is an examiner's statement of reasons for allowance: Claims 6-23 are considered allowable since when reading the claims in light of the specification, none of the references of record alone or in combination disclose or suggest the combination of limitations specified in the independent claims. As to claims 6-12, the prior art of record does not teach summing the average service level values of each identified location; summing the level of service for all locations throughout the service area; and dividing the sum of the average service level values by the level of service throughout the service area to obtain a value representing a first measure of the quality of service for the service area. As to claims 13-14 and 15-16, determining the ratio of the locations receiving degraded service to the total number of locations served by the service area to obtain a first measure of the quality of service area; and dividing the sum of the average service level values by the level of service throughout the service area to obtain a second measure of the quality of service for the service area.

As to claims 17-18, the prior art of record does not teach sum the level of service for all locations throughout the service area; and divide the sum of the average service level values by the level of service throughout the service area to obtain a value representing a second measure of the quality of service for the service area. As to claims 19-22, the prior art of record does not teach determining a received signal level

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necessary for providing a quality transmission at each location; determining a level of transmitted signal required from each transmitting station to each receiving location based upon the received signal level necessary for providing a quality transmission at the location and path loss between the location and each base station; and comparing available transmission power to the level of transmitted signal required.

As to claim 23, the prior art of record does not teach determine interference level for each location in the service area from data defining signals received at the location; determine a received signal level necessary for providing a quality transmission at each location; determine path loss between each receiving location and each transmitting station; and compare available transmission power to level of transmitted signal required.

Any comments considered necessary by applicant must be submitted no later than the payment of the issue fee and, to avoid processing delays, should preferably accompany the issue fee. Such submissions should be clearly labeled "Comments on Statement of Reasons for Allowance."

Conclusion

2. Any inquiry concerning this communication or earlier communications from the examiner should be directed to Alexander Boakye whose telephone number is (571) 272-3183. The examiner can normally be reached on M-F from 8:30am to 6:00pm.


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If attempts to reach the examiner by telephone are unsuccessful, the examiner's supervisor, Chi Pham, can be reached on (571) 272-3179. The Central Fax number is (571) 273-8300. Any inquiry of a general nature or relating to the status of this application or proceeding should be directed to Electronic Business Center numbers 866-217-9197 and 703-305-3028.

Alexander Boakye

Patent Examiner

AB
8/4/05


CHI PHAM
SUPERVISORY PATENT EXAMINER
TECHNOLOGY CENTER
08/5/05